

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

YVONNE MART FOX, GRANT NESHEIM,  
DANIELLE DUCKLEY, and SHELLEY  
KITSIS, individually and on behalf of all others  
similarly situated,

*Plaintiffs,*

v.

IOWA HEALTH SYSTEM, doing business as  
UNITYPOINT HEALTH, an Iowa non-profit  
corporation,

*Defendant.*

**Case No.: 3:18-cv-00327-JDP**

**DECLARATION OF SHELLEY KITSIS IN SUPPORT OF PLAINTIFFS' MOTION  
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

I, Shelley Kitsis, declare:

1. I am a named Plaintiff and proposed class representative in the above-titled action. I submit this Declaration in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement. I make this declaration based on my personal knowledge and if called to testify, I could and would competently testify to the matters contained herein.

2. I have been a patient of UnityPoint Health since at least January 2010. I relied on UnityPoint's promise that my medical records and privacy would be protected.

3. I joined this litigation on August 13, 2018, when my counsel filed the Second Amended Complaint on my behalf. During the course of this litigation, I was dedicated to vigorously pursuing the claims on behalf of the Class. I have reviewed copies of all material filings in the action, including a copy of the Second Amended Complaint and the Court's Order granting in part and denying in part Defendant's Motion to Dismiss the Second Amended Complaint. I was also willing to testify at trial in this matter.

4. I have actively participated in the discovery process. On November 15, 2019,

Defendant served me with discovery requests consisting of thirty (30) requests for production of documents and nineteen (19) interrogatories. I worked with my counsel to provide responses to these discovery requests, and my responses were served on January 22, 2020.

5. I spent additional time searching for and providing documents responsive to Defendant's discovery requests and thoroughly reviewed all of my discovery responses before they were served.

6. I have remained in contact with my counsel throughout the course of this litigation and have kept myself informed about the status of the proceedings and discovery.

7. It is my understanding that my counsel attended a settlement conference with UnityPoint on March 3, 2020. During this settlement conference, I made myself available by telephone to discuss settlement proposals with my counsel.

8. It is my understanding that my counsel participated in two additional telephonic mediation sessions with UnityPoint on March 18, 2020 and March 20, 2020. I also made myself available by telephone to discuss settlement proposals with my counsel during these mediation sessions.

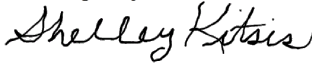
9. I have reviewed the settlement agreement with UnityPoint and believe that the terms of the settlement are fair, reasonable, and adequate for the Class.

10. It is my understanding that my claims in this action are the same as the claims of the other class members, and I am not aware of any conflicts of interest that I would have with any other member of the Class.

11. I understand the responsibilities expected of a class representative, such as acting on behalf of the Class's best interests and staying involved and informed about the case and the settlement approval process. I believe that I have fulfilled these duties and that I am an adequate class representative.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed on June 10, 2020 | 11:14 AM PDT

DocuSigned by:  
  
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Shelley Kitsis